

REMARKS

Status of the Claims

Claims 18-20, 22 and 23 are currently pending in the application. Claims 17 and 22 stand rejected. The Examiner objects to claims 18-20 and 23. Claims 18-20, 22 and 23 have been amended as set forth herein. Claim 17 has been cancelled herein. All amendments and cancellations are made without prejudice or disclaimer. No new matter has been added by way of the present amendments. Specifically, the amendment to claim 18 is supported by original claim 17. That is, claim 18 has been amended to incorporate the limitations of now cancelled claim 17 to place it in independent form. Furthermore, claims 19, 20, 22 and 23 have been amended to depend from claim 18 instead of claim 17. Reconsideration is respectfully requested.

Objections to the Claims

The Examiner objects to claims 18-20 and 23 as being in allowable condition except for depending from a rejected base claim, claim 17. (*See*, Office Action of June 26, 2007, at page 2, hereinafter, "Office Action"). The Examiner further states that if these claims are amended to incorporate all of the limitations of the base claim, and any intervening claims, they would be in allowable condition. (*Id.*).

Although Applicants do not agree that claim 17 is anticipated by prior art, to expedite prosecution, claim 18 has been amended herein without prejudice or disclaimer to recite all of the pertinent limitations of independent claim 17, from which it depended. Furthermore, claims 19, 20, 22 and 23 have been amended to now depend from amended claim 18, not claim 17.

Reconsideration and withdrawal of the objection to claims 18-20 and 23 are respectfully requested.

Rejections Under 35 U.S.C. § 102(b)

Claims 17 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ulubelen et al., *Planta Medica*, 66:627-629, 2000 (hereinafter referred to as "Ulubelen et al."). (See, Office Action, at page 2). Claim 17 has been cancelled herein without prejudice or disclaimer, thus obviating the rejection of claim 17. Applicants traverse the rejection of claim 22 as set forth herein.

The Examiner states that Ulubelen et al. disclose a method for treating hypertension comprising administering ferruginol (compound 1) to rats. (*Id.*). The Examiner believes that this compound meets the limitations of the formula recited in the claims.

Although Applicants do not agree that claim 22 is anticipated by the disclosure of Ulubelen et al., to expedite prosecution, claim 22 has been amended without prejudice or disclaimer to depend on claim 18. Claim 18 has been amended without prejudice or disclaimer, solely to expedite prosecution, to recite all of the limitations of independent claim 17, now placing claim 18 in independent format. Since claim 18 is not indicated as being anticipated by the disclosure of Ulubelen et al., Applicants believe that claim 22, at least as amended, recites limitations not disclosed by Ulubelen et al. via its dependency on non-anticipated claim 18.

Reconsideration and withdrawal of the anticipation rejection of claim 22 are respectfully requested.

Application No. 10/664,165
Amendment dated September 27, 2007
Reply to Office Action of June 27, 2007

Docket No.: 0283-0178P

CONCLUSION

If the Examiner has any questions or comments, please contact Thomas J. Siepmann, Ph.D., Registration No 57,374, at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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